

UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

Appeal No. 10-7036

DICK ANTHONY HELLER, et al., Appellants,

v.

DISTRICT OF COLUMBIA, et al., Appellees.

JOINT MOTION OF THE PARTIES AND THE UNITED STATES
FOR MODIFICATION OF SUPPLEMENTAL BRIEFING SCHEDULE

Pursuant to Fed. R. App. P. 27, the parties and the United States of America respectfully move this Court to modify the schedule for the filing of supplemental briefs in the above-captioned case. In support of this Joint Motion, the parties and the United States submit the following points and authorities:

1. By Order issued on November 16, 2010, this Court directed the parties to file supplemental briefs on four specified topics relating to the application of the Home Rule Act, Pub. L. No. 93-198, 87 Stat. 774 (1973), to the firearms provisions at issue in this case. The Court also invited the United States to file a brief on any or all of these questions.

2. Under the current briefing schedule, appellants would file a supplemental brief on or before December 1, 2010; any brief submitted on behalf of the United States would be due on or before

December 3, 2010; appellees would then file their supplemental brief on December 8, 2010; and appellants would have the option of submitting a reply brief on December 13, 2010.

3. The Court has set a date of December 3, 2010, for any brief the United States might file. The determination whether to accept the Court's invitation entails consultation with other components of the United States Department of Justice, including the Office of the Solicitor General. In order to permit adequate time for the above-mentioned consultative process and in light of the intervening Thanksgiving and Christmas holidays, the United States respectfully requests an extension of 35 days, to and including January 7, 2011, in which to determine whether to accept the Court's invitation and, if so, to complete its brief.

4. The parties do not object to the United States's request. However, in order to maintain the current chronology for submission of briefs, the parties respectfully request that the brief schedule be adjusted such that appellants' supplemental brief would be filed on or before December 22, 2010; appellees' supplemental brief would be filed on January 12, 2011; and appellants' reply brief would be filed on January 25, 2011.

WHEREFORE, for all of the foregoing reasons, the parties respectfully request that the Court grant this Joint Motion to Modify the Briefing Schedule in this case.

Respectfully Submitted,

FOR THE UNITED STATES:

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____/s/_____
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FOR APPELLANTS:

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